

Summary of September 9, 2009 Telephone Interview

On September 9, 2009 Applicant's undersigned counsel telephoned the Examiner to discuss the rejection of claim 1 in view of Gauthier and Mokuya. In particular, Applicant's counsel discussed that neither Mokuya nor Gauthier disclosed providing template attributes to memory of a printer and creating at the printer a template from the template attributes in response to received data, as claimed by Applicant. Rather, it was discussed that Mokuya discloses storing rendered print data (in both compressed and uncompressed form) at the printer, and merging this data in response to print instruction data which identifies data to be merged and position of this data (See Mokuya, Col. 13, lines 53-56). As discussed with the Examiner, since Mokuya stores the rendered print data at the printer, and subsequently merges various of the rendered print data together for printing in response to received print instruction data, Mokuya cannot be read as creating a template at the printer from stored template attributes in response to received print data. It was also discussed that stored rendered data in Mokuya is data that is already set in terms of its attributes, such that Mokuya cannot be read as storing template attributes at the printer or creating a template from stored template attributes in response to received print data.

As also discussed with the Examiner, Mokuya is directly contrary to Applicant's claimed invention, since in Mokuya, it is the print data that is first stored at the printer, and only when print instruction data is received is the stored print data printed. Mokuya specifically discloses that the print instruction data only includes an identifier for identifying the material data and layout information for determining the size and arrangement of the identified data to be printed. Thus, in Mokuya there is no creation of a template in response to received print data, as the print data is stored in advance of the print instruction data being received. Also, Mokuya stores rendered print data rather than template attributes, and prints in response to subsequently received instructions. In contrast, with Applicant's claimed invention, template attributes are stored and then the template is created at the printer in response to received print data.

It is also noted that there is simply no discussion of templates or template attributes in

Mokuya.

Gauthier discloses storing the entire template at the printer for later use and reuse, but that Gauthier does not disclose creating a template at the printer from template attributes stored in memory in response to received print data, as acknowledged by Examiner (Office Action, page 5). It was also discussed that, since Gauthier discloses storing the entire template, Gauthier could not be read as storing template attributes, as indicated by the Examiner on page 4 of the Office Action. Since Gauthier stores the entire template, individual template attributes need not and are not stored in memory as well.

It was also pointed out that the disclosures of Gauthier and Mokuya were very different, as Gauthier disclosed storing an entire template and then merging received print data into the stored template, whereas Mokuya stores rendered print data and then merges it together in response to received print instructions. Thus, it would not have been obvious to one of ordinary skill in the art to combine these references as suggested by the Examiner, due to their contrary disclosures. Neither reference discloses or suggests storing template attributes at the printer and creating the template at the printer from the stored attributes in response to received print data, as claimed by Applicant.

With Applicant's claimed invention, there is no need to store the entire template in memory as in Gauthier. Also, rendered print data is not stored in advance as in Mokuya. Rather, with Applicant's claimed invention, the template attributes are provided to the printer memory and the template is created at the printer only after the print data is received, just prior to printing. Such an approach enables a greater degree of flexibility than that provided by the system of Gauthier or the system of Mokuya, since in Gauthier the printer can only print data in the particular templates that are stored in the memory and in Mokuya, the print data is already rendered in a particular format. In contrast, with Applicant's invention the template is created instantaneously by the printer based on the received print data from the stored template attributes,

enabling a wide variety of template forms. Such advantages are not provided for by the systems of Gauthier or Mokuya.

The foregoing arguments apply equally to Applicant's independent claims 20 and 27 which are apparatus claims with analogous subject matter to that discussed above.

The Examiner indicated his understanding and agreement to the arguments presented during the telephone interview, and indicated that the rejections would be further considered upon receipt of Applicant's formal written response to the final Office Action.

Discussion of Rejection of Claims 39 and 40

Claim 39 specifies:

*verifying all template fields are complete prior to printing the composite image; and
if the template fields are not complete, monitoring communications from a host computer
until additional print data is received and all template fields are complete*

Claim 40 contains analogous subject matter. The Examiner indicates that Gauthier discloses this subject matter (Office Action, page 16). The portion of Gauthier relied on by the Examiner discloses an application program displaying an image on the workstation screen as it is being completed. However, in Gauthier, this is on a display, and not at the printer. There is simply no disclosure or suggestion in Gauthier of any verification that all template fields are complete prior to printing. There is also no disclosure or suggestion in Gauthier of monitoring communications from the host computer until additional print data is received and all template fields are complete, as claimed by Applicant. With Applicant's claimed 39 and 40, it should be understood that the verification and monitoring necessarily occur at the printer, since the template is created and exists at the printer. As such, the creating and completing of an image on a workstation screen in Gauthier is not equivalent to the verification and monitoring at a printer as claimed by Applicant in claims 39 and 40.

Applicant respectfully submits that the present invention would not have been obvious to one skilled in the art in view of Gauthier and Mokuya, or any of the other prior art of record.

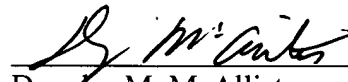
Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the agreement reached during the telephone interview and the foregoing discussion. Applicant's silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicant's undersigned attorney.

Respectfully submitted,



Douglas M. McAllister
Attorney for Applicant(s)
Registration No. 37,886
Lipsitz & McAllister, LLC
755 Main Street
Monroe, CT 06468
(203) 459-0200

ATTORNEY DOCKET NO.: TRA-128

Date: September 9, 2009